

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRUSTEES OF VALLEY CARPET
LAYERS INDUSTRY TRUST FUNDS,

Plaintiff,

No. CIV-S-04-0573 LKK GGH

vs.

SOLO FLOORING, INC.,

Defendant.

ORDER

On April 22, 2005, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within ten days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

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1 Accordingly, IT IS ORDERED that:

2 1. The Proposed Findings and Recommendations filed April 22, 2005, are
3 ADOPTED; and

4 2. Plaintiffs' motion for entry of default judgment is GRANTED in part and
5 DENIED in part. Judgment is rendered in the form of damages only, in the total amount of
6 \$7,069.85, which reflects unpaid contributions, attorneys' fees and costs. Plaintiff's request for
7 injunctive relief is denied.

8 DATED: August 17, 2005.

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10 /s/Lawrence K. Karlton
11 UNITED STATES DISTRICT JUDGE

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